



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/987,736	11/15/2001	Hiroyuki Yajima	111102	7424

7590 09/26/2003

OLIFF & BERRIDGE  
P.O. BOX 19928  
ALEXANDRIA, VA 22320

EXAMINER

NGUYEN, GEORGE BINH MINH

ART UNIT PAPER NUMBER

3723

DATE MAILED: 09/26/2003

*S*

Please find below and/or attached an Office communication concerning this application or proceeding.

#### DETAILED ACTION

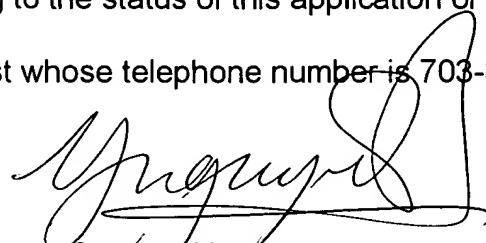
1. The reply filed on July 12, 2003 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): claim 12, is directed to a roller bearing made by a process. Please note that even though product-by-process claims are limited by and defined by the process, determination of patentability is based on the product itself. The patentability of a product, a roller bearing, does not depend on its method of production, a method of removing residual fine foreign matters with a grinding medium. Therefore, newly submitted claim 12 is directed to an invention that is independent or distinct from the invention originally claimed for the above reason. Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claim 12 is withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Nguyen whose telephone number is 703-308-0163. The examiner can normally be reached on Monday-Friday/630AM-300PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Hail can be reached on 703-308-2687. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1078.

*George Nguyen*  
Primary Examiner



George Nguyen  
Primary Examiner  
Art Unit 3723

GN – September 12, 2003